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In re the Application of: **Haruhisa YAMASAKI et al.**

Group Art Unit: **3744**

Application No.: **10/773,448**

Examiner: **Chen Wen Jiang**

Filed: **February 9, 2004**

Confirmation No.: **3609**

For: **REFRIGERANT CYCLE APPARATUS**

Attorney Docket Number: **042077**

Customer Number: **38834**

**RESPONSE TO ELECTION OF SPECIES REQUIREMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

January 27, 2006

Sir:

This paper is submitted in response to the Official Action dated January 25, 2006, and having a response due date set for February 25, 2006.

In the Office Action, the Examiner has required an election of one of the species below:

Species I: Claims 1-7, reduce flow path resistance of the throttling means at the time of the starting of the compressor.

Species II: Claims 8-12 and 14-17, reduces the flow path resistance of the throttling means when a temperature detected by a sensor is not less than a predetermined value, and increases the flow path resistance of the throttling means when the temperature drops from a set value based on an output of the sensor for detecting the temperature of a space to be cooled by the evaporator.

Species III: Claims 13-17, reduces the flow path resistance of the throttling means when a temperature detected by a sensor is not less than a defined temperature, and increases the

flow path resistance of the throttling means when the temperature detected by the sensor is lower than the defined temperature based on an output of the sensor for detecting the temperature of the refrigerant discharged from the internal heat exchanger view the evaporator.

Species IV: Claims 18-24, increase flow path resistance of the throttling means at the time of the starting of the compressor.

Applicants hereby elect to prosecute Species I, claims 1-7. This election is made without traverse, it being understood that the Applicants' rights to the filing of a Divisional application directed to the non-elected subject matter under 35 U.S.C. §120 and 35 U.S.C. §121 are retained.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. If any additional fees are due in connection with this paper, please charge our Deposit Account No. 50-2866.

Respectfully submitted,

**WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP**



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